

FILED for Rha

OCT 25 2010

JULIA C. DUDLEY, CLERK
BY: *HMcDonald*
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

DAVID W. WILLIAMS,
Plaintiff,

v.

R. C. MATHENA, et al.,
Defendants.

)
)
)
)
)
)
)

Civil Action No. 7:10-cv-00404

ORDER

By: Hon. Jackson L. Kiser
Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

ORDERED

that all of plaintiff's claims except for his Eighth Amendment excessive force claim against defendants Miller and Ratcliff are **DISMISSED without prejudice** and all defendants except for Miller and Ratcliff are **TERMINATED as defendants**. Therefore, plaintiff's Eighth Amendment excessive force claims against defendants Miller and Ratcliff remain.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the plaintiff.

ENTER: This 25th day of October, 2010.

Jackson L. Kiser
Senior United States District Judge